REMARKS

This filing is in Response to the telephone interviews conducted between the Examiner and the undersigned on April 24 and April 25, 2008. The interviews were conducted at the request of Applicant to discuss the rejections of the claims in the final Office Action of November 1, 2007. As a result of the interview, the Examiner has agreed to rescind the finality of the pending Office Action.

November 11, 2007, Office Action

The pending Office Action rejects all pending claims, claim 1-16, mainly on the combination of Ozaki (JP10031265) in view of Homma (US Patent No. 6,950,126). As discussed during the interview, Ozaki and Homma, as well as the other cited references, when combined, fail to render obvious the pending claims. Accordingly, the Examiner has agreed to ,rescind the finality of the Office Action as concerns the pending claims.

Telephonic Interviews

The main interview with Examiner was conducted on April 24, 2008. The second interview mainly recapped the positions articulated during the first interview. During the first interview, Applicant's counsel explained that the cited references failed to disclose, suggest or render obvious under the *KSR* standard, the claimed combination of a portable terminal that issues an announcement upon the event of detecting a change to camera mode (e.g., claim 1) or the event of half-pressing the image capturing button (e.g., claim 15). In the case of both events, the announcement precedes the act of capturing an image.

The prior art on the other hand discloses, in the case of Ozaki, a camera that issues an alarm after a photograph has been taken when the camera is operated remotely. Ozaki fails to disclose a portable terminal that is changed into a camera mode or that has a image capturing button. Accordingly, Ozaki cannot disclose or suggest an announcement that is issued

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in advance of capturing an image by detecting a change to camera mode or the half-pressed image capturing button. Similarly, Homma fails to disclose, suggest or make obvious the claimed combination, when taken alone or combined with the other cited references. As discussed during the interview, Homma is mainly directed to controlling the manner in which incoming phone calls are announced while a portable terminal is being used to take still pictures or video. Depending on whether a video or a picture is being captured, the portable terminal will deliver an announcement of an incoming call by vibration or sound. In Homma, an announcement is never used to alert a bystander that the portable terminal is about to be used to capture video or a take a still picture. Homma fails to disclose an announcement that is made in advance of capturing an image by either changing to camera mode or half-pressing an image capture button.

After having considered the Applicant's arguments made during the first interview and a brief recap during the second interview, the Examiner agreed during the second interview to rescind the finality of the pending Office Action and reconsider the patentability of the pending claims.

For at least the reasons set forth above, and the reasons provided in Applicant's response to the June 6, 2007, Office Action, which are incorporated herein, Applicant respectfully submits that this patent application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely.

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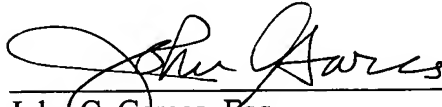Kindly charge any additional fee, or credit any surplus, to Deposit Account No.

50-0675, Order No. 848075-0048.

Respectfully submitted,

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Dated: April 29, 2008   By:
     New York, New York

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